

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Petitioner,

v.

FRANCISCA DE OCHOA,

Respondent.

CASE NO. 1:23-cv-01325-EPG

**ORDER GRANTING MOTION TO CONTINUE
HEARING**

(ECF No. 6).

This action concerns a petition to enforce a summons served by the Internal Revenue Service on Francisca De Ochoa. (ECF No. 1). On September 13, 2023, this Court issued an order setting a show cause hearing for November 1, 2023. (ECF No. 4). Among other things, the order required Petitioner to serve a copy of the order and petition at least 30 days before the hearing. Further, the Court required proof of service to be filed “as soon as practicable.”

After Petitioner failed to file proof of service, the Court issued an order requiring Petitioner to do so by no later than October 27, 2023. (ECF No. 5).

Petitioner now moves to continue the hearing date to December 8, 2023, or another date suitable for the Court, asserting that it has been unable to serve Respondent. (ECF No. 6).

Upon review, IT IS ORDERED as follows:

1. Petitioner’s motion to continue the hearing is granted. (ECF No. 6).
2. The November 1, 2023 show cause hearing is continued to December 15, 2023, at 10 a.m.
3. In addition to the documents listed in the Court’s prior order (ECF No. 4), Petitioner shall also serve a copy of this order on Respondent at least 14 days before the show cause

1 hearing.

- 2 4. Proof of service for all required documents must be filed at least 7 days before the show
3 cause hearing. If Petitioner fails to timely file proof of service by this date, the hearing
4 will be vacated.

5 IT IS SO ORDERED.

6
7 Dated: **October 26, 2023**

/s/ Eric P. Grogan
UNITED STATES MAGISTRATE JUDGE